FILED IN THE U.S. DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

NAO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants
Sheet 1 Revised by WAED - 02/11

NOV 2 7 2012

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U)	NITED STA	TES DISTRICT	COURT -	SPOKANE, WASHING	DEI
Eastern		District of	Washington		
united states of an <b>v.</b>	MERICA		T IN A CRIMINAL CA	ASE	
SMITH CHROME PLATIN	IG, INC.	CASE NUMB	ER: 2:12CR06047-001		
		John T. Cook			
THE DEFENDANT ORGAN	IZATION:	Defendant Organiza	stion's Attorney		
pleaded guilty to count(s) 1 of	the Information				
pleaded nolo contendere to count which was accepted by the court.	(s)				
was found guilty on count(s)					
after a plea of not guilty.				<del></del>	
The organizational defendant is adjud	licated guilty of these	offenses:			
Title & Section Nature of	f Offense		Offense Ende	d Count	
3-U.S.C.S.1319 (c)(4)(AS: Violation	onGlean Water Act	Pretreatment/Require	ments 4/30/2010 \$		
R. S. L. B. S. L. L. S. L.		CONTRACTOR PROPERTY FOR STATE OF STATE		<b>Kaliforn</b> ia et estatuen eta	
The defendant organization is:	sentenced as provided	in pages 2 through	5 of this judgment.	123091 ( - 41ME. )	
			<del></del> , - <del>-</del>		
The defendant organization has b		• • • • • • • • • • • • • • • • • • • •		<del></del>	
	is		e motion of the United States		
It is ordered that the defendar of name, principal business address, or	nt organizațion must n	-at Grah - I foliant Canan - an	orney for this district within 3	0 da a.C	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	offy the Onlied States att all fines, restitution, costs organization must notify	orney for this district within 3 , and special assessments impo the court and United States	o days of any change osed by this judgment attorney of material	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	ottry the Office States att all lines, restitution, costs organization must notify 11/18/2012	and special assessments impo the court and United States	o days of any change bsed by this judgment attorney of material	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant			or days of any change bsed by this judgment attorney of material	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	11/19/2012 Date of Imposition	of judgment	or days of any change osed by this judgment attorney of material	•
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	_11/19/2012		or days of any change osed by this judgment attorney of material	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	11/18/2012  Date of Imposition  Signature of Judge  Pred L. Van Sid	ef podgment  Ven Billo  kle Senior Judge, U.S	. District Court	
are fully paid. If ordered to pay resti changes in economic circumstances.	mailing address until tution, the defendant	11/18/2012 Date of Imposition  Signature of Judge	ef jødgment  Ven Billo  kle  Senior Judge, U.S  Title o		

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 2 — Probation

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.

CASE NUMBER: 2:12CR06047-001

## **PROBATION**

Judgment-Page

The defendant organization is hereby sentenced to probation for a term of: 5 years

The defendant organization shall not commit another federal, state or local crime.

If this judgment imposes a fine or a restitution obligation, it is a condition of probation that the defendant organization pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant organization must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page (if indicated below).

## STANDARD CONDITIONS OF SUPERVISION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organizations's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer:
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees; and
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 2B — Probation

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.

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CASE NUMBER: 2:12CR06047-001

## SPECIAL CONDITIONS OF SUPERVISION

- 8) The Defendant's place of business and all property subject to the control of the Defendant, including vehicles, storage space, file spaced (including electronically stored files), and subject to search at the direction of the Probation Officer;
- 9) The Defendant shall comply with the "Agreed Order and Penalty Number 8971" issued by the Washington Department of Ecology with respect to hazardous waste and pretreatment violations that occurred at the Facility between December 2009 and May 2010.

AO 245E (Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 3 — Criminal Monetary Penalties

the interest requirement for the

☐ fine

5 Judgment - Page DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC. CASE NUMBER: 2:12CR06047-001 CRIMINAL MONETARY PENALTIES The defendant organization must pay the following total criminal monetary penalties under the schedule of payments on Sheet 4. Restitution Assessment Fine TOTALS \$125.00 \$15,000.00 \$0.00 ☐ The determination of restitution is deferred until . An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination. The defendant organization shall make restitution (including community restitution) to the following payees in the amount listed If the defendant organization makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Name of Payce Restitution Ordered **Priority or Percentage** 0.00 \$ 0.00 **TOTALS** Restitution amount ordered pursuant to plea agreement \$ The defendant organization shall pay interest on restitution or a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g). The court determined that the defendant organization does not have the ability to pay interest, and it is ordered that: the interest requirement is waived for the fine fine restitution.

restitution is modified as follows:

<sup>\*</sup> Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

(Rev. 12/03) Judgment in a Criminal Case for Organizational Defendants Sheet 4 — Schedule of Payments AO 245E

DEFENDANT ORGANIZATION: SMITH CHROME PLATING, INC.

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CASE NUMBER: 2:12CR06047-001

SCHEDULE OF PAYMENTS						
Hav	ing as	ssessed the organization's ability to pay, payment of the total criminal monetary penalties are due as follows:				
٨		Lump sum payment of \$ due immediately, balance due				
		not later than , or in accordance with C or D below; or				
В	Ø	Payment to begin immediately (may be combined with $\square C$ or $\square D$ below); or				
С	Δ.	Payment in (e.g., equal, weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or				
D	¥	Special instructions regarding the payment of criminal monetary penalties:				
		e fine is to be paid in installments as follows: \$5,000.00 is do within 48 hours of sentencing; \$5,000.00 is due on or fore February 4, 2015.				
		nal monetary penalties are made to the clerk of the court.  Idant organization shall receive credit for all payments previously made toward any criminal monetary penalties imposed.				
	Defe	t and Several endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and esponding payee, if appropriate.				
	The	defendant organization shall pay the cost of prosecution.				
	The	ne defendant organization shall pay the following court cost(s):				
	The	defendant organization shall forfeit the defendant organization's interest in the following property to the United States:				

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.